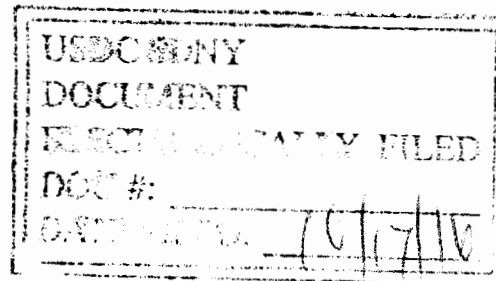


GIBSON DUNN

Gibson, Dunn & Crutcher LLP

200 Park Avenue
New York, NY 10166-0193
Tel: +1 212 351 4000
www.gibsondunn.com

Randy M. Mastro
Direct: +1 212.351.3825
Fax: +1 212.351.5219
RMastro@gibsondunn.com



October 13, 2016

VIA ECF AND BY HAND

The Honorable Jed S. Rakoff
United States District Court, Southern District of New York
500 Pearl Street, Room 1340
New York, New York 10007

Re: *Patriarch Partners XV, LLC et al. v. U.S. Bank Nat'l Ass'n et al.*, No. 16 Civ. 7128

Dear Judge Rakoff:

I write as counsel for the Plaintiffs in this action. I submit this letter, with which Defendants agree, in accordance with Your Honor's instructions at the preliminary injunction hearing to identify the exhibits the parties have agreed are received in evidence. Prelim. Inj. Hr'g Tr. 317:15-18, Oct. 10, 2016. All parties agree that the exhibits contained in the enclosed list are received in evidence.

Further, in accordance with the Court's instructions, submitted herewith are logs setting forth the parties' respective objections to the exhibits on which they do not agree.

Respectfully,

A handwritten signature in cursive script, appearing to read "Randy M. Mastro".

Randy M. Mastro

Enclosures

cc: Counsel of record (via ECF)

APPENDIX A

Exhibits Received In Evidence

Plaintiffs' Exhibits

1. PX 1	21. PX 31	41. PX 55
2. PX 2	22. PX 32	42. PX 56
3. PX 3	23. PX 33	43. PX 57
4. PX 4	24. PX 34	44. PX 58
5. PX 10	25. PX 35	45. PX 59
6. PX 13	26. PX 36	46. PX 60
7. PX 14	27. PX 37	47. PX 61
8. PX 15	28. PX 40	48. PX 63
9. PX 17	29. PX 41	49. PX 65
10. PX 19	30. PX 42	50. PX 69
11. PX 20	31. PX 43	51. PX 73
12. PX 21	32. PX 44	52. PX 76
13. PX 22	33. PX 46	53. PX 82
14. PX 23	34. PX 47	54. PX 83
15. PX 24	35. PX 48	55. PX 84
16. PX 25	36. PX 49	56. PX 85
17. PX 26	37. PX 50	57. PX 86
18. PX 27	38. PX 51	58. PX 94
19. PX 28	39. PX 52	
20. PX 29	40. PX 53	

Defendants' Exhibits

1. DX 1	16. Hoff Decl., Ex. I
2. DX 2	17. Hoff Decl., Ex. K
3. DX 3	18. Hoff Decl., Ex. R
4. DX 4	19. Hoff Decl., Ex. S
5. DX 10	20. Hoff Decl., Ex. X
6. DX 15 (subject to Defendants filing pages 3-10 under seal)	21. Hoff Decl., Ex. BB
7. DX 16	22. Hoff Decl., Ex. CC
8. DX 17	23. Hoff Decl., Ex. EE
9. DX 111	24. Hoff Decl., Ex. FF
10. DX 113	25. Hoff Decl., Ex. GG
11. DX 117	26. Hoff Decl., Ex. HH
12. Declaration of Jonathan M. Hoff, dated September 27, 2016 (ECF No. 37) ("Hoff Decl."), Ex. A	27. Hoff Decl., Ex. II
13. Hoff Decl., Ex. C	
14. Hoff Decl., Ex. E	
15. Hoff Decl., Ex. G	

O = objection(s) overruled — exhibit received
S = objection(s) sustained — exhibit excluded.

APPENDIX B

50 OBLIGED

Log of Plaintiffs' Objections To Certain Exhibits
To The Hoff Declaration

John J. Raloff
J3 00

Hoff Decl. Exhibit No.	Document Description	Plaintiffs' Objections
B	Affidavit of Lynn Tilton, <i>Houbigant, Inc. v. IMG Fragrance Brands, LLC</i> , No. 09 Civ. 839 (S.D.N.Y. Mar. 12, 2009), ECF No. 24	Improper Impeachment (FRE 806) Relevance (FRE Rule 401)
D	Brief for Defendant-Appellants, <i>Norddeutsche Landesbank Girozentrale v. Tilton</i> , Index No. 651695/15 (1st Dep't Mar. 18, 2016)	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
F	Complaint, <i>Patriarch Partners Agency Servs., LLC v. Zohar CDO 2003-1, Ltd.</i> , No. 16 Civ. 4488 (S.D.N.Y. June 15, 2016), ECF No. 1	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
H	Excerpts from the transcript of trial proceedings in <i>Zohar CDO 2003-1, LLC v. Patriarch Partners, LLC</i> , No. 12247-VCS (Del. Ch. Aug. 9-10, 2016) (Vol. II)	Improper Impeachment (FRE 806) Relevance (FRE Rule 401)
J	Verified Amended Complaint, <i>Zohar CDO 2003-1, LLC v. Patriarch Partners, LLC</i> , No. 12247-VCS (Del. Ch. May 9, 2016)	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
L	Involuntary Petition, <i>In re Zohar CDO 2003-1, Ltd.</i> , No. 15-23680-rdd (Bankr. S.D.N.Y. Nov. 22, 2015), ECF No. 1	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
M	Involuntary Petition, <i>In re Zohar CDO 2003-1, Corp.</i> , No. 15-23681-rdd (Bankr. S.D.N.Y. Nov. 22, 2015), ECF No. 1	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
N	Involuntary Petition, <i>In re Zohar CDO 2003-1, LLC</i> , No. 15-23682-rdd (Bankr. S.D.N.Y. Nov. 22, 2015), ECF No. 1	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
O	Answer and Motion of Alleged Debtors For an Order Dismissing Involuntary Chapter 11 Petitions Or, In The Alternative, Abstaining Pursuant to 11 U.S.C. § 305, <i>In re Zohar CDO 12003-1, LLC</i> , No. 15-23580-rdd (Bankr. S.D.N.Y. Dec. 14, 2015), ECF No. 6	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
P	Excerpts from the transcript of evidentiary proceedings in <i>In re Zohar CDO 2003-1, et al.</i> , Nos. 15-23680-rdd, -23681-rdd, -23682-rdd (Bankr. S.D.N.Y. Feb. 1, 2016)	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
Q	Notice of Withdrawal of Involuntary Petitions Filed By Patriarch Partners XV, LLC, <i>In re Zohar CDO 2003-1, et al.</i> , Nos. 15-23680-rdd, -23681-rdd, -23682-rdd (Bankr. S.D.N.Y. Feb. 6, 2016), ECF No. 44	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)

S
S
O
S
O
O
O
S
S
O

Hoff Decl. Exhibit No.	Document Description	Plaintiffs' Objections
T	First Amended Complaint, <i>U.S. Bank N.A. v. Patriarch Partners XIV, LLC</i> , Index No. 652173/2016 (Sup. Ct. N.Y. Cnty. May 20, 2016), NYSCEF No. 8	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
U	Letter from Jonathan Pickhardt to Taleah Jennings, dated April 27, 2016	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
V	Letter from Michael B. Carlinsky to Lynn Tilton, dated June 14, 2016	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
DD	Motion of Patriarch to Terminate the Debtors' Plan Exclusivity Periods, dated November 22, 2015	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)
JJ	Order Instituting Administrative and Cease-and-Desist Proceedings, <i>In re Lynn Tilton; Patriarch Partners, LLC; Patriarch Partners VIII, LLC; Patriarch Partners XIV, LLC; and Patriarch Partners XV, LLC</i> , Investment Advisers Act Release No. 4053, Investment Company Act Release No. 31539, Accounting and Auditing Enforcement Release No. 3644, Admin. Proceeding File No. 3-16462 (SEC Mar. 30, 2015)	Hearsay (FRE Rule 801) Relevance (FRE Rule 401)

O

S

S

O

O

APPENDIX C

Log of Defendants' Objections To Plaintiffs' Exhibits

<u>Plaintiffs' Exhibit No.</u>	<u>Document Description</u>	<u>Defendants' Objections</u>
6.	Handwritten notes produced by the U.S. Securities and Exchange Commission (the " <u>SEC</u> ") (SECNOTES000480-481)	Fed. R. Evid. 901 – Lack of Authentication Fed. R. Evid. 801 – Hearsay Fed. R. Evid. 401 – Not Relevant Fed. R. Evid. 403 – Confusing, Prejudicial & Cumulative
11.	Handwritten notes produced by the SEC (SECNOTES 000656-70) (Serio Decl., Ex. 35)	Fed. R. Evid. 901 – Lack of Authentication Fed. R. Evid. 801 – Hearsay Fed. R. Evid. 401 – Not Relevant Fed. R. Evid. 403 – Confusing, Prejudicial & Cumulative
99.	Handwritten notes produced by the SEC (SECNOTES 000480-81)	Fed. R. Evid. 901 – Lack of Authentication Fed. R. Evid. 801 – Hearsay Fed. R. Evid. 401 – Not Relevant Fed. R. Evid. 403 – Confusing, Prejudicial & Cumulative

ENDORSEMENTS ON APPENDIX B TO PLTFFS LTR DTD 10-13-16 IN 16CV7128 (JSR)

Judge's Rulings

O= objection(s) overruled - exhibit received

S= objection(s) sustained - exhibit excluded.